

United States District Court
Western District of Kentucky
at Louisville

UNITED STATES OF AMERICA

DATE: 2-6-12

VS.

BY: X Jo Ellen Lawless

Deputy Clerk

BRENDON CUEVAS

PLAINTIFF

CRIMINAL ACTION NO. ~~12MJ-34~~ 12MJ-34

U.S. DISTRICT COURT, N.Y.

BROOKLYN OFFICE

FILED

FEB - 9 2012

DEFENDANT

ORDER ON INITIAL APPEARANCE
AND REMOVAL HEARING

BROOKLYN OFFICE

The above-styled case came before the Honorable James D. Moyer, United States Magistrate Judge and was called in open Court on January 31, 2012 to conduct an initial appearance and removal proceedings on a complaint and warrant from the Eastern District of New York.

APPEARANCES

For the United States:

Jo Ellen Lawless, Assistant United States Attorney

For the defendant:

Defendant, Brendon Cuevas - Present and in custody

Court Reporter:

Laura R. Wyrosdick - Asst. Federal Defender - Appointed - Present

Digitally Recorded Proceedings

At the initial appearance the defendant acknowledged his identity, was furnished with a copy of the complaint and warrant from the Eastern District of New York, was advised of the nature of the charges contained therein and was advised of his rights. The defendant was questioned under oath regarding his ability to afford counsel and it was determined that he was eligible for appointment of counsel. The court will appoint the Office of the Federal Defender. Laura Wyrosdick, Assistant Federal Defender, was present in the courtroom and accepted the appointment.

Through counsel, the defendant executed a waiver of Rule 5 & 5.1 hearings and requested any further hearings to be held in the prosecuting District. Accordingly,

IT IS HEREBY ORDERED that the defendant be **remanded** to the custody of the U.S. Marshal Service pending transport to the Eastern District of New York for further proceedings.

This 1st day of February, 2012

ENTERED BY ORDER OF THE COURT:

JAMES D. MOYER

UNITED STATES MAGISTRATE JUDGE

VANESSA L. ARMSTRONG, CLERK

BY: /s/ Kathryn D. Niemann

Kathryn D. Niemann - Deputy Clerk

Copies: U.S. Attorney
 U.S. Probation
 U.S. Marshal
 Counsel for Defendant

0|5

CERTIFIED

U. S. DISTRICT COURT

LOUISVILLE, KY.

UNITED STATES DISTRICT COURT

DATE: 02-06-12

BY: Smallwood EASTERN

Deputy Clerk

UNITED STATES OF AMERICA

FILED US
DISTRICT COURT CLERK
ESTERN DISTRICT OF KY

12 JAN 31 PM 3:40

BRENDON CUEVAS

DISTRICT OF

NEW YORK

FILED

IN CLERK'S OFFICE

U.S. DISTRICT COURT OF N.Y.

★ FEB - 9 2012 *

WARRANT FOR ARREST

WEEK # 3:12 MJ-34
BROOKLYN OFFICE
MJ-12-0101

CASE NUMBER:

DEFENDANT.

TO: SPECIAL AGENT DANIELLE MESSINEO, FBI, and any Authorized United States OfficialYOU ARE HEREBY COMMANDED to arrest BRENDON CUEVAS

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of Court Violation Notice Probation Violation Petition

charging him or her with (brief description of offense)

TRANSPORTATION OF CHILD PORNOGRAPHYIn violation of Title 18United States Code, Section(s) 2252 (A) (1)GARY R. BROWN

U.S. MAGISTRATE JUDGE

Name of Issuing Officer

Title of Issuing Officer

Gary R. Brown

JANUARY 30, 2012-CENTRAL ISLIP, NY

Signature of Issuing Officer

Date and Location

Bail fixed at \$ 0

By

RETURN

This warrant was received and executed with the arrest of the above-named defendant at LOUISVILLE, KY FEDERAL
COURT

DATE RECEIVED <u>01-31-2012</u>	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST <u>01-31-2012</u>	G.H. LOFTIN/DUSM	<u>G.H. Loftin</u>

(1)

CER

J.

LOW

FINANCIAL AFFIDAVIT

GJA 23
(Rev. 5-93)

SUPPORT OF REQUEST FOR ATTORNEY EXPENSE OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEES

DATE: 01/10/12 IN THE UNITED STATES MAGISTRATE DISTRICT APPEALS COURT or OTHER PANEL (Specify below)

IN THE CASE OF

BY: Waller Deputy Clerk vs. Brendon CUEVAS
MJ-12-0101

PERSON REPRESENTED (Show your full name)

12 JAN 31

PM 3:40 LOCATION NUMBER

644-3

1 Defendant - Adult
 2 Defendant - Juvenile
 3 Appellant
 4 Probation Violator
 5 Parole Violator
 6 Habeas Petitioner
 7 2255 Petitioner
 8 Material Witness
 9 Other (Specify) _____

DOCKET NUMBERS

Magistrate
3.BMJ-34

District Court

Court of Appeals

CHARGE/OFFENSE (describe if applicable and check box →)

IN CLERK'S OFFICE
DISTRICT COURT OF N.Y.

Felony

Misdemeanor

★ FEB - 9 2012

18:02:52

BROOKLYN OFFICE

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOY- MENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed			
	Name and address of employer: _____			
	IF YES, how much do you earn per month? \$ _____		IF NO, give month and year of last employment How much did you earn per month? \$ _____	
	If married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No		If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____	
ASSETS	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
	RECEIVED SOURCES			
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY \$ _____ THE SOURCES _____			
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____			
PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
	VALUE DESCRIPTION			
	IF YES, GIVE THE VALUE AND \$ _____ DESCRIBE IT _____			
OBLIGATIONS & DEBTS	DEPENDENTS			
	<div style="display: flex; align-items: center;"> <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED </div>		Total No. of Dependents _____	
	List persons you actually support and your relationship to them			
DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME:	Creditors	Total Debt	Monthly Payt.
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) 1-31-12SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)Brendon Cuevas (A)

AO 446A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

United States of America

v.

Brendon (w/2s)

Defendant

Case No. 3:12MJ-34

Charging District's Case No. MJ-12-0101

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court)

of New YorkEastern District

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

an identity hearing and production of the warrant.

a preliminary hearing.

a detention hearing.

an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 1/31/12Brendon Curnow

Defendant's signature

Signature of defendant's attorney

hawna Wyrach

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK WESTERN
DISTRICT OF KENTUCKY
106 WEST BROADWAY
LOUISVILLE, KENTUCKY 40202
(502) 625-3500

FILED
IN CLERK'S OFFICE
DISTRICT COURT E.D.N.Y.
★ FEB - 9 2012 ★

Vanessa
Armstrong Clerk
of Court

James Vitt
Chief Deputy
Clerk

BROOKLYN OFFICE

February 6, 2012

U.S. District Court Clerk
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Brendon Cuevas
Our Case No: 3:12MJ-34

Your Case No: MJ-12-0101

Dear Clerk:

The above listed defendant was arrested in this district on your warrant. Enclosed is a certified copy of the transfer order and any sealed and/or unscanned documents. **The case is electronic and documents may be retrieved at <https://ecf.kywd.uscourts.gov> using your PACER login.**

If you should have any questions, please contact this office at (502) 625-3551.

Vanessa Armstrong, Clerk of Court

By: s/S Smallwood
Deputy Clerk